



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: SCHULZ=2

In re Application of:

Wolfgang SCHULZ

Appln. No.: 09/826,369

Filed: April 5, 2001

For: AWNING FABRIC AND PROCESS FOR
FOR PRODUCING SAME

) Conf. No.: 4003

) Art Unit: 1771

) Examiner: A. T. Piziali

) Washington, D.C.

) May 3, 2005

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
Randolph Building, Mail Stop AF
401 Dulany Street
Alexandria, VA 22314

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the final rejection (or the rejection of claims for at least the second time), dated November 17, 2004, of the Primary Examiner. The claims appealed are claims 1,2,4-6, and 11-14.

The item(s) checked below are appropriate:

XX Small Entity Status: Applicant(s) claim small entity status. See 37 CFR 1.27.

_____ The fee has been calculated as shown below:

_____ \$500.00

XX \$250.00 (small entity)

_____ Not required (fee paid in prior appeal)

XX Applicant hereby petitions for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity

Response Filed Within

[] First - \$ 60.00

[] Second - \$225.00

[XX] Third - \$510.00

month after time period set

[] Less fees (\$ _____) already paid for ___ months extension of time on ____.

Other Than Small Entity

Response Filed Within

[] First - \$ 120.00

[] Second - \$ 450.00

[] Third - \$1020.00

month after time period set

XX Credit Card Payment Form, PTO-2038, is attached, authorizing the amount of \$760.00.

XX Please charge any deficit in the fee paid herewith to my Deposit Account No. 02-4035.

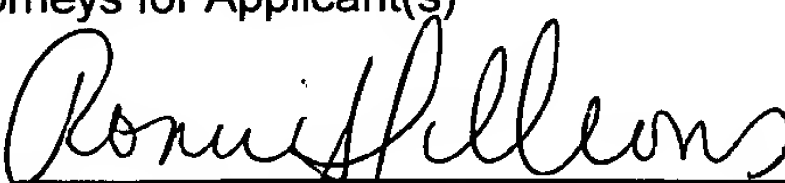
05/04/2005 SZEWDIE1 00000018 09826369

01 FC:2253
02 FC:2401

510.00 OP
250.00 OP

Respectfully submitted,
BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant(s)

By:


Ronni S. Jillions

Registration No. 31,979

Telephone No.: (202) 628-5197
Facsimile No.: (202) 737-3528